

REMARKS

Claims 1-34 are pending in the present application. Claims 1, 11, and 30 are amended by this amendment. No claims are added or canceled by this amendment.

Claim Objections

Claims 1 and 11 stand objected to because of minor informalities. In particular, the Examiner asserts the recitation “the group” in claim 1 and the recitation “the analyzer” in claim 11 lack antecedent basis. Applicant respectfully submits claims 1 and 11 are amended to address the Examiner’s objections and that amended claims 1 and 11 include proper antecedent basis.

In view of the above, Applicant respectfully requests the objections to the claims be withdrawn.

Claim Rejections under 35 U.S.C. § 101

Claims 1 and 30 stand rejected under 35 U.S.C. § 101 because the Examiner asserts the claims do not produce any tangible results. Claims 2-29 and 31-34 stand rejected under 35 U.S.C. § 101 because of their dependency from one of claims 1 and 30. Applicant respectfully traverses these rejections.

Applicant respectfully submits claims 1 and 30 are amended to address the rejections under 35 U.S.C. § 101 and that amended claims 1 and 30 produce a tangible result.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 101 be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1-8, 10-22, and 30-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yamazaki et al. (U.S. Pub. No. 2003/0004696, herein Yamazaki). Applicant respectfully traverses these rejections.

Amended claim 1 recites *inter alia* “comparing the measurement values with the associated threshold values for the quality control **in a chronological order of the occurrence of the sub-processes in the part of the chain in the course of the analysis process.**”

Yamazaki discloses performing a reaction using a chemical model in a real plant and measuring the pH, temperature, and pressure in the dissolution tank.¹ Yamazaki also discloses an analysis is performed to determine the pH from the added FeCl₃ amount, temperature and pressure.² Yamazaki discloses comparing the pH measured by the pH meter in the real plant and the analysis value.³ However, Yamazaki merely discloses that the pH measured by the pH meter in the real plant and the analysis value are compared. Yamazaki does not disclose “comparing the measurement values with the associated threshold values for the quality control **in a chronological order of the occurrence of the sub-processes in the part of the chain in the course of the analysis process**” as required by amended claim 1. To the contrary, Yamazaki discloses “a simulation of the chemical process is performed using an operating mechanism on a simulation part 9 of the spreadsheet software 1 (step S6), and the results are displayed on the spreadsheet software 1 (step S7).⁴ Accordingly, Yamazaki cannot disclose comparing the simulation results to anything, let alone comparing the results in a chronological order of sub-processes in their occurrence in the simulation in the course of the analysis process, until after they are displayed on the spreadsheet software. Therefore, Yamazaki does not disclose

¹ See Yamazaki at [0159] – [0160].

² See *Id.* at [0161].

³ See *Id.* at [0162].

“comparing the measurement values with the associated threshold values for the quality control **in a chronological order of the occurrence of the sub-processes in the part of the chain in the course of the analysis process**” as required by amended claim 1.

Accordingly, Applicant respectfully submits claim 1 is patentable for at least the above reasons. Further, Applicant respectfully submits claim 30 is amended in a similar manner as claim 1 and is therefore patentable for reasons similar to those discussed above in regards to claim 1. Applicant also respectfully submits claims 2-8, 10-22, and 31-34, which depend from one of claims 1 and 30, are patentable for at least the same reasons discussed above in regards to claim 30 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 102(e) be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki in view of Markham et al. (U.S. Pub. No. 2006/o149407, herein Markham). Claims 23-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki in view of Berger et al. (U.S. Pub. No. 2001/0043882, herein Berger). Applicant respectfully traverses these rejections.

Applicant respectfully submits that even assuming for the sake of argument that Yamazaki and Markham and Yamazaki and Berger may be combined (which Applicant does not admit) both Markham and Berger fail to cure the deficiencies discussed above in regards to Yamazaki.

⁴ *Id.* at [0043].

Accordingly Applicant respectfully submits claims 9 and 23-29, which depend from claim 1, are patentable for at least the same reasons discussed above in regards to claim 1 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-34 in connection with the present application is earnestly solicited.

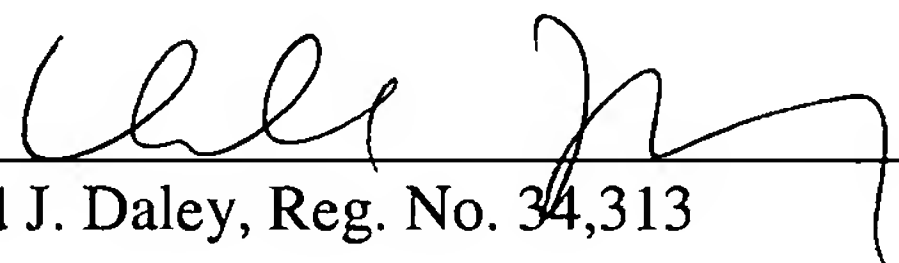
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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